

repair of property of any kind shall be available for the payment of expenses of operation, maintenance, and repair of property of the same kind received by it under any provision of sections 304f to 304m of this title for official use; for the payment of any lien recognized and allowed pursuant to law, and for the payment of all moneys found to be due any person upon the duly authorized remission or mitigation of any forfeiture; and for reimbursement of other agencies as hereafter provided. The costs of hauling, transporting, towing, and storage of such property shall be paid by the agency which has seized such property or to which it has been abandoned; and, if such property is later delivered to another agency for official use under sections 304g to 304i of this title, the latter shall make reimbursement for all such costs incurred prior to the date of delivery to it of such property.

(Aug. 27, 1935, ch. 740, title III, § 305, 49 Stat. 880.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 304f, 304l, 304m of this title; title 18 section 3668.

§ 304k. Retention or delivery of abandoned or forfeited property deemed sale with respect to informer's fees and mitigation of forfeiture

Retention or delivery of forfeited or abandoned property under sections 304f to 304m of this title shall be regarded as the sale thereof for the purpose of laws providing for informer's fees or remission or mitigation of any forfeiture. Any property so acquired when no longer needed for official use shall be disposed of in the same manner as other surplus property.

(Aug. 27, 1935, ch. 740, title III, § 306, 49 Stat. 880.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 304f, 304j, 304l, 304m of this title; title 18 section 3668.

§ 304l. Reports by agencies concerning abandoned or forfeited property; rules and regulations

The Administrator is authorized, with the approval of the Secretary of the Treasury, (1) to require any agency, from time to time, to make a report of all property abandoned to it or seized and the disposal thereof, and (2) to make such rules and regulations as may be necessary to carry out the provisions of sections 304f to 304m of this title.

(Aug. 27, 1935, ch. 740, title III, § 307, 49 Stat. 880; June 30, 1949, ch. 288, title I, § 102(a), 63 Stat. 380.)

TRANSFER OF FUNCTIONS

Functions of Director of Bureau of Federal Supply transferred to Administrator of General Services and office of Director abolished by section 102(a) of act June 30, 1949, which is classified to section 752 of this title.

EFFECTIVE DATE OF TRANSFER OF FUNCTIONS

Transfer of functions by act June 30, 1949, effective July 1, 1949, see section 605 of act June 30, 1949, set out as an Effective Date note under section 471 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 304f, 304j, 304k, 304m of this title; title 18 section 3668.

§ 304m. Effect on other laws; abandoned or forfeited property excluded from allocation

Nothing contained in sections 304f to 304m of this title shall be construed as repealing any other laws relating to the disposition of forfeited or abandoned property, except such provisions of such laws as are directly in conflict with any provisions of said sections.

The following classes of property shall not be subject to allocation under sections 304g to 304i of this title, but shall be disposed of in the manner otherwise provided by law:

(1) arms or munitions of war included in section 404 of title 22;

(2) narcotic drugs, as defined in the Controlled Substances Act [21 U.S.C. 801 et seq.];

(3) firearms, as defined in section 5845 of title 26; and

(4) such other classes or kinds of property as the Administrator, with the approval of the Secretary of the Treasury, may deem in the public interest, and may by rules and regulations provide.

(Aug. 27, 1935, ch. 740, title III, § 308, 49 Stat. 880; June 30, 1949, ch. 288, title I, § 102(a), 63 Stat. 380; Pub. L. 91-513, title III, § 1102(o), Oct. 27, 1970, 84 Stat. 1293.)

REFERENCES IN TEXT

Section 404 of title 22, referred to in par. (1), was repealed by act Aug. 13, 1953, ch. 434, § 2, 67 Stat. 577.

The Controlled Substances Act, referred to in par. (2), is title II of Pub. L. 91-513, Oct. 27, 1970, 84 Stat. 1242, as amended, which is classified principally to subchapter I (§ 801 et seq.) of chapter 13 of Title 21, Food and Drugs. For complete classification of this Act to the Code, see Short Title note set out under section 801 of Title 21 and Tables.

CODIFICATION

In par. (3), "section 5845 of title 26" substituted for "section 2733 of title 26" on authority of section 7852(b) of Title 26, Internal Revenue Code, which provides that a reference in other laws to the Internal Revenue Code of 1939 is deemed a reference to corresponding provision of the Internal Revenue Code of 1986.

AMENDMENTS

1970—Pub. L. 91-513 substituted "the Controlled Substances Act" for "section 171 of title 21" in definition of narcotic drugs.

EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91-513 effective on first day of seventh calendar month that begins after the day immediately preceding the date of enactment of Pub. L. 91-513, which was approved on Oct. 27, 1970, see section 1105(a) of Pub. L. 91-513, set out as an Effective Date note under section 951 of Title 21, Food and Drugs.

TRANSFER OF FUNCTIONS

Functions of Director of Bureau of Federal Supply transferred to Administrator of General Services and office of Director abolished by section 102(a) of act June 30, 1949, which is classified to section 752 of this title.

EFFECTIVE DATE OF TRANSFER OF FUNCTIONS

Transfer of functions by act June 30, 1949, effective July 1, 1949, see section 605 of act June 30, 1949, set out as an Effective Date note under section 471 of this title.

SAVINGS PROVISION

Prosecutions for any violation of law occurring, and civil seizures or forfeitures and injunctive proceedings